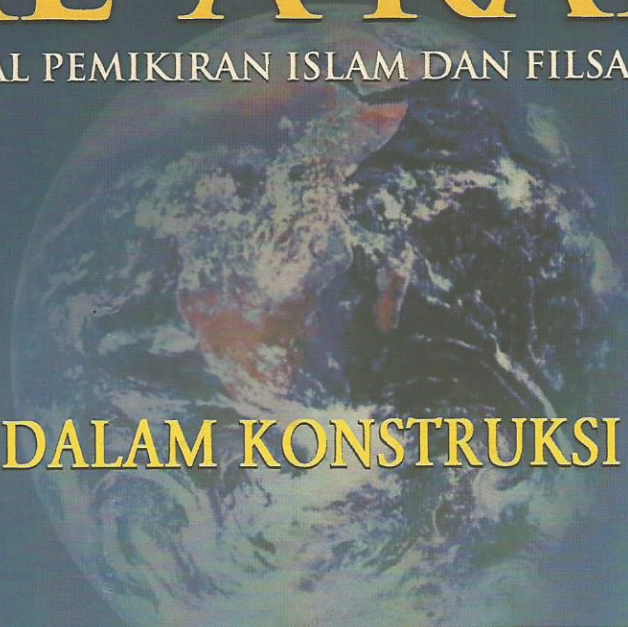


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# AL-A'RAF

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DI PEDALAMAN KALIMANTAN BARAT

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# SHARIA LAW IN PLURALISTIC STATE BASED ON PANCASILA

(Review on the Thought of Two Alumni of Gontor Boarding School) <sup>1</sup>

Nurrohman Syarif

UIN Sunan Gunung Djati, Bandung

**Abstract:** At national stage, there are many Muslim leaders who once stayed at Gontor Islamic boarding school as students. M. Maftuh Basyuni, former minister of religious affairs in Indonesia, Hasyim Muzadi, former chairman of the largest Muslim organization, Nahdlatul Ulama (NU), Dien Syamsudin, the chairman of the second largest Muslim organization, Muhammadiyah, and Hidayat Nurwahid, the former speaker of MPR (the People Consultative Assembly) are among the alumni of this pesantren. Although the majority of the alumni have become the leaders of moderate Muslims, several of them turn out to be radical such as Abu Bakar Ba'asyir. This paper explores the thought and activity of the two alumni of Gontor Islamic boarding school, Nurcholish Madjid and Abu Bakar Ba'asyir who have the opposite opinion concerning to Islamic sharia, democracy and Indonesia Pancasila state, by exposing their lives before and after graduating from the pesantren and comparing their thoughts and opinions. Analysis is made to explain the factors that have influenced both persons so the former eventually becomes moderate, liberal and pluralist as for the latter radical, fundamentalist and exclusivist.

**Abstrak:** Di pentas nasional, banyak pemimpin Muslim yang pernah belajar dan tinggal di pesantren Gontor. M. Maftuh Basyuni, mantan menteri agama Indonesia, Hasyim Muzadi, mantan ketua organisasi Islam terbesar di Indonesia, Nahdlatul Ulama, Dien Syamsudin, ketua Muhammadiyah, organisasi Islam terbesar kedua, Hidayat Nurwahid, mantan ketua Majelis Permusyawaratan Rakyat (MPR) adalah diantara beberapa alumni pesantren ini. Meskipun mayoritas alumni pesantren ini menjadi pemimpin Muslim moderat, namun di antara mereka ada yang menjadi radikal seperti Abu Bakar Ba'asyir. Tulisan ini bermaksud mengeksplorasi pemikiran dan kegiatan dua alumni pesantren Gontor yakni Nurcholish Madjid dan Abu Bakar Ba'asyir yang memiliki pandangan berbeda atau bahkan berlawanan tentang syari'at, demokrasi dan Indonesia sebagai negara Pancasila dengan menelusuri kehidupan mereka sebelum

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<sup>1</sup> This article was originally presented in International Conference "Muslim Intellectual as Agents of Change" held in Batu, Malang, Indonesia on 27-29 November 2007, organized by Training Indonesia's Young Leaders Program, the Ministry of Religious Affairs and UNISMA.

*dan sesudah tamat dari pesantren serta membandingkan pemikiran dan pendapat keduanya. Analisis dimaksudkan untuk menjelaskan faktor-faktor yang mempengaruhi kedua orang ini sehingga yang pertama menjadi moderat, liberal dan pluralist sementara yang kedua menjadi radikal, fundamentalis dan eksklusif.*

**Keywords:** Sharia law, Islamic state, radical Islam, boarding school (pesantren)

## A. Introduction

One of the Islamic education institutions which associates itself to be a modern institution is Gontor boarding school (Pondok Gontor). The *Pesantren* (Islamic boarding school) whose official name is Pondok Darussalam was first established on September 20, 1926 or 12 Rabi'ul Awwal 1345 in Islamic calendar. It has produced thousands of alumni, who widely spread in all regions within this country.

At national stage, there are many Muslim leaders who once stayed at Gontor Islamic boarding school as students. M. Maftuh Basyuni, the former minister of religious affairs in Indonesia, Hasyim Muzadi, the former chairman of the largest Muslim organization, Nahdlatul Ulama (NU), Dien Syamsudin, the chairman of the second largest Muslim organization, Muhamadiyah, and Hidayat Nurwahid, the former speaker of MPR (the people consultative assembly) are among the alumni of this *pesantren*.

Although the majority of the alumni have become leaders of moderate Muslims, several of them turn out to become radical such as Abu Bakar Ba'asyir. So it is important to understand why a person like Abu Bakar Ba'asyir who studied in the same *pesantren*, (graduated at 1963) as Nurcholish Madjid did (graduated at 1960) taking different path in his life.

This paper will explore the thought and activity of the two alumni who finally have the opposite opinions concerning to Islam, democracy and Islamic government, Nurcholish Madjid and Abu Bakar Ba'asyir, by exposing their lives before and after graduating from the *pesantren* and comparing their thoughts and opinions. Analysis is made to explain the factors that have influenced both persons so the former eventually becomes moderate, liberal and pluralist as for the latter radical, fundamentalist and exclusivist.



## B. Biographical Sketch of Nurcholish Madjid (1939-2005)

Nurcholish Madjid was born on Maret 17, 1939 / 26 Muharram 1358 H.<sup>2</sup> from the couple K.H. Abdul Madjid and Hj. Fathonah. Cak Nur – his nick name – has the aristocrat blood (*priyayi*). His father is a respected islamic clergyman in Mojoanyar, Jombang, East Java.

K.H. Abdul Madjid was a genuine adherent of Masyumi. When this party was disbanded by Soekarno, the members kept staying and not moving to other parties. As a clergyman and alumnus of the *Tebu Ireng* boarding school, this father was also known as a prominent figure in Masyumi (federation of all Islamic political party at that time).

When NU joined with Masyumi in November 1945, his father became a member of Masyumi. But when NU separated from Masyumi in 1952, he did not go with NU but chose to still get together with Masyumi. According to Nurcholish Madjid, the stance of his father was based on “edict” issued by K.H. Hasyim Asyari that said “Masyumi is the only Islamic party which is legally accepted in Indonesia”.<sup>3</sup>

In religious mass organization, Abdul Madjid affiliated with the big family of Nahdlatul Ulama (NU). Personally he had close relationship with KH Hasyim Asy’ary, one of the founding fathers of NU, the grandfather of Abdurrahman Wahid. Cak Nur had one brother and two sisters.<sup>4</sup> He grew up in a family whose religious orientation belongs to *Ahl Sunnah wa al-Jamaah*, the sect of theology held by the majority of Muslim in Indonesia.

As a teenager, Cak Nur was able to distinguish between the “Islam Madzhab” and “the true Islam”. In this age he tried to develop critical thinking by escaping or distancing himself from Islamic thoughts that circulated in Sunni tradition which dominated Muslims at that time. He developed his own opinion without being restricted by his own *madzhab*.<sup>5</sup>

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<sup>2</sup> Nurcholish Madjid, *Dialog Keterbukaan: Artikulasi Nilai Islam dalam Wacana Sosial Politik Kontemporer* (Jakarta: Paramadina, 1998), p. 160.

<sup>3</sup> *Ibid.*, p. 161-162.

<sup>4</sup> Peter G. Riddell, “*The Diverse Voices of Political Islam in Post-Suharto Indonesia*,” dalam Jurnal “*Islam and Cristian-Muslim Relations*,” Vol.13, No.1, 2002, p. 66.

<sup>5</sup> *Bunga Rampai Satu Islam Sebuah Dilema* (Bandung: Mizan, 1991), p. 13-34.

<sup>6</sup> *Ibid.*, p. 212.

Cak Nur joined his public elementary education (*Sekolah Rakyat*) in the morning and his religious school (*madrasah*) in the evening. From these elementary schools he then had the awareness of the two models of education in Indonesia. While studying in a religious school, *Madrasah al-Wathaniyah*, his talent and intelligence began to emerge. He often received awards for his achievements.<sup>6</sup>

After graduating from elementary school, Cak Nur continued his education to *Darul Ulum* Boarding School in Rejoso, Jombang. But in this *pesantren* Nurcholish Madjid spent his time for no more than two years.<sup>7</sup> According to one source it is likely related to problem faced by his father. As mentioned above, although Abdul Madjid, the father of Cak Nur, still became the member of NU but he chose Masyumi for his political preference.<sup>8</sup> When most of the NU leaders left Masyumi, he kept staying with this party. His attitude caused negative impact on Cak Nur. Cak Nur's presence in *Pesantren Darul Ulum*, known as the base camp of NU, not warmly greeted by other students. Cak Nur was even labeled as the son of Masyumi who wrongly entered (*nyasar*) into NU stable.<sup>9</sup>

This situation compelled Cak Nur to seek another place. *Pesantren Darussalam Gontor*, Ponorogo, East Java – a boarding school that was relatively more flexible in accepting reform and modernity then became the following choice. Unlike another boarding school which still maintains traditional method, this *pesantren* introduces modern one instead. This boarding school, being known for its slogan *berdiri diatas dan untuk semua golongan* (standing up above and for all Muslim community), has the mission to produce Muslims who have strong characters with high morality (*berbudi luhur*), free thoughts (*berpikir bebas*), healthy bodies (*berbadan sehat*) and broad horizons (*berpengetahuan luas*). These are the four motto of Gontor boarding school which should be carried out by its students.<sup>10</sup>

<sup>6</sup> A. Azizy, *Ensiklopedia*, p. 104.

<sup>7</sup> Nurcholis Madjid. *Dialog Keterburukan, artikulasi Nilai Islam dalam Wacana social Politik Kontemporer* (Jakarta: Paramadina, 1981), p. 39.

<sup>8</sup> Nurcholis Madjid, *Dialog Keterbukaan*, p. 161-162.

<sup>10</sup> Salah satu tujuan pendidikan pondok modern gontor adalah membentuk manusia yang berkarakter muslim yang berbudi tinggi, berbadan sehat, berpengetahuan

After graduating from this *pesantren*, Cak Nur remained in this school for one year as a teacher. Nurcholish Madjid then continued his study on Arabic literature in Fakultas Adab (Faculty of Islamic Literature and Culture), Syarif Hidayatullah State Institute for Islamic Studies (IAIN), Jakarta. He graduated in 1968 with his thesis entitled "*al-Qur'an; Arabiyyun Lughatan Wa Alamiyyun Ma'nan*" which means the Koran in Arabic local language with universal meaning.

In October 1968 Nurcholish Madjid left for The United States in answering an invitation from the State Department. At that time Cak Nur was still known as an anti Western activist so it was rather strange when people heard he was invited to see the greatest Western State. An official from US envoy when asked why Nurcholish was invited to US, he replied; **just to show what he hates.**<sup>11</sup>

There, Nurcholish visited universities, observing student life, performing discussion and so on. In the US, he stayed for two months. In Washington he met Sudjatmoko, who had the same hobby as his in reading. Nurcholish Madjid received books as gifts from him. Soedjatmoko who was an ambassador at that time warmly received and helped Nurcholish. After returning from The United States, the change in Nurcholish's thoughts began to appear. He got interested in the good aspects of humanism which was previously branded as the new religion. He began to get interested in socialism

Ten years after graduating from IAIN (The State Institute for Islamic Studies), in March 1978, he got a scholarship program to continue his study in Chicago University, The United States, for his doctorate degree. He got his degree in March 1984, after finishing his dissertation entitled *Ibnu Taimiyah on Kalam and Falsafah; Problem of Reason and Revelation in Islam*.

In organization, Nurcholish Madjid once acted as a chairman of Islamic Student Association (HMI) for two consecutive periods, 1966-

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luas dan berpikiran bebas. Inilah empat moto pondok gontor yang harus ditaati oleh santri-santrinya. M. Dawam Rahardjo (ed.), *Pesantren dan Pembaharuan* (Jakarta: LP3S, 1998), p. 139.

<sup>11</sup> "sekedar memperlihatkan apa yang dia benci selama ini." See Djohan Effendi, Ismed Natsir (ed.), *Pergolakan Pemikiran Islam, Catatan Harian Ahmad Wahib* (Jakarta: LP3ES, 1995), p. 161.

1969 and 1969-1971. He also became the first president of Southeast Asian Islamic Student Union (PEMIAT). In 1967-1969 he was promoted as Deputy General Secretary of IIFSO (International Islamic Federation of Students organization).

In academic field, Nurcholish Madjid was registered as a researcher in LIPI (Indonesia's Institute for Science) from 1978 to 1984 and as a senior researcher from 1984 to 2005. As a lecturer in Post Graduate Program of Syarif Hidayatullah Institute for Islamic Studies, Jakarta, 1985-2005, he also managed Paramadina Mulya University in Jakarta as a rector from 1998 to 2005. Cak Nur passed away in August 2005 at the age of 66.

In this paper, Nurcholish's thoughts mostly derive from his oration on *wawasan komunitas Paramadina* (Paramadina community insight) when installing new campus of Paramadina University on Gatot Subroto street, Jakarta, on October 3, 2001. In this oration, Nurcholish clearly described what kind of community he imagined or dreamed of.

Nurcholish Madjid at that time said that the main core of religion is the teaching of universal humanity based on the belief in one God such as the one conveyed by prophets and messengers of God to every community. The universal teaching is a manifestation of the blessing of God to universe and it became the reason for equality or common ground (*kalimatun sawa*) or melting pot for all religion. (Q.3:64)<sup>12</sup>

In the holy book, it is mentioned that the universal teaching is the way of life or *sharia* which has been taught in all religion, such as what was taught by God to the prophet Nuh, the prophet Muhammad, the prophet Ibrahim, Musa and Isa. Therefore the teaching of submission to God must be enforced and all human beings are not allowed to make dispute or conflict in this teaching, something that is very difficult for

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<sup>12</sup> See "Wawasan Komunitas Paramadina Dan Partisipasinya Dalam Usaha Bersama Mewujudkan Masyarakat Madani Dalam Semangat Reformasi" (Orasi dalam kesempatan presmian kampus baru UNIVERSITAS PARAMADINA, Jl Gatotsubroto, Jakarta, 3 Oktober, 2001/16 Rajab, 1422) The text is "Inti utama agama itu diyakini sebagai ajaran hidup kemanusiaan universal berdasarkan Ketuhanan Yang Maha Esa, sebagaimana telah disampaikan para nabi dan rasul yang telah dibangkitkan Tuhan untuk setiap umat. Ajaran universal itu merupakan wujud rahmat Tuhan kepada seluruh alam, dan menjadi ajaran kesamaan (*kalimat sawa*) atau titik temu semua agama – (QS. 3:64)"



someone who does not understand the Oneness of God or *Tauhid*, namely the polytheist group (Q.42:13)<sup>13</sup>

In order to get the spirit of that universal teaching, people should believe in all holy books and all the prophets and messengers without differentiating among one of them and accompanied by the attitude of submission (to be Islam) to God in the spirit of peace (*salam*) (Q.2:136). Therefore the Koran underlined that the followers of all prophets and messengers actually were the one community and all of them did not worship unless the only one God. (Q.21:92). So we are reminded not to make dispute or clash with other followers of the holy books except the despot persons among them. We are obliged to believe in the teachings of all holy books, because the God of all is actually the same, the only One, and all of them (the followers of holy books) are submit (to be "Islam") bow and obey to God in the spirit of peace namely, *salam*. (Q.29:46)<sup>14</sup>

The prophet Muhammad SAW also highlighted that the religion of the prophets is the same and all of prophets are relatives originated from one father with different mothers. They stand on the same principle of teaching though they might be different in the way and method. They are practicing the same core teaching although it should be adjusted to

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<sup>13</sup> Dalam Kitab Suci juga disebutkan bahwa ajaran universal itu adalah jalan hidup atau Syariah yang diajarkan dalam semua agama, sama seperti yang telah diajarkan Tuhan kepada Nabi Nuh dan Nabi Muhammad, serta kepada Nabi-nabi Ibrahim, Musa dan Isa, karena itu ajaran kepatuhan kepada Tuhan harus ditegakkan, dan umat manusia tidak dibenarkan bertikai dalam ajaran itu, suatu hal yang amat berat dan sulit dipahami oleh mereka yang tidak berpaham Ketuhanan Yang Maha Esa atau Tauhid, yaitu kaum musyrik – (QS. 42:13).

<sup>14</sup> Untuk dapat menangkap ruh ajaran universal itu manusia harus beriman kepada semua kitab suci dan semua nabi dan rasul, tanpa membeda-bedakan salah seorang pun dari mereka, dengan sikap semuanya berserah diri (ber-islam) kepada Tuhan dalam semangat kedamaian (*salam*) – (QS. 2:136). Oleh karena itu Alquran menegaskan bahwa para pengikut semua nabi dan rasul adalah umat yang tunggal, dan semua mereka tidak menyembah kecuali Tuhan Yang Maha Esa – (QS. 21:92). Maka diingatkan agar kita tidak bertikai dengan para penganut kitab suci kecuali terhadap yang zalim dari kalangan mereka. Kita diwajibkan percaya kepada ajaran semua kitab suci itu, sebab Tuhan bagi semuanya adalah Tuhan yang sama. Yang Maha Esa, an semuanya ber-islam, tunduk-patuh kepada Tuhan dalam semangat kedamaian, yaitu *salam* – (QS. 29:46).

the demand of time and place. Therefore it is understandable when the holy book also acknowledges that God has dictated *sir'ah* (the path) and *minhaj* (method) that are different for every community, something that cannot be used as a reason for conflict, but conversely it should be used to make a race or competition in order to create goodness in this world. Because the authority in explaining why there are so many differences among humans only belongs to God, all humans have returned to Him. (Q.5: 48)<sup>15</sup>

Therefore every sect or community in their spirit of yearning to the centrality have their own direction where they face and all of these are not necessarily becoming the subject of dispute or conflict, but supposed to be the pushing factor for a race toward many goodness. (Q.2:148). Because the God is the owner of East and West, the owner of all directions so to where we face there is the face of God. (Q.2:115, 55:17, 70:40)<sup>16</sup>

The virtues are not the attitude to face the East or the West in a form of apparently piety but in deeds and actualization, initiated by believing in God as the basic, then continued by determination to keep promises with other humans alongside with the patience and determination to undergo the difficult way of life, full of challenges and obstacles.<sup>17</sup>

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<sup>15</sup> Nabi Muhammad saw juga menegaskan bahwa agama para nabi itu satu dan sama, dan para nabi adalah bersaudara tunggal bapak lain ibu (Hadits). Yaitu bahwa mereka berpijak pada ajaran pokok yang sama, sekalipun mungkin berbeda-beda dalam jalan dan cara pelaksanaan ajaran pokok itu, sesuai dengan tuntutan khusus ruang dan waktu. Karena itu Kitab Suci juga menegaskan bahwa Tuhan telah menetapkan syirah (jalan) dan minhaj (cara) yang berbeda-beda untuk setiap golongan umat manusia, sesuatu yang tidak dibenarkan menjadi bahan pertikaian, tapi justru harus mendorong perlombaan menuju kepada berbagai kebaikan. Sebab, wewenang untuk menjelaskan mengapa terjadi perbedaan itu di antara manusia hanya ada pada Tuhan, kelak jika umat manusia telah kembali kepada-Nya – (QS. 5:48).

<sup>16</sup> "Oleh karena itu masing-masing golongan, dalam semangat kerinduannya kepada sentralitas, punya arah sendiri kemana mereka menghadap, yang semua itu juga tidak perlu menjadi bahan pertengkaran, melainkan hendaknya juga menjadi pendorong terjadinya perlombaan menuju kepada berbagai kebaikan – (QS. 2:148). Sebab, Tuhan adalah Pemilik timur dan barat, Pemilik dua timur dan dua barat, pemilik semua timur dan semua barat, yakni, Pemilik segenap penjuru angin, sehingga ke manapun kita menghadap di sana ada Wajah Tuhan – (QS. 2:152; 55:17; 70:40)".

<sup>17</sup> "Dan kebajikan tidaklah berupa sikap menghadap ke timur ataupun ke barat dalam sikap kesalehan lahir, melainkan ada dalam tindakan dan amal nyata, dimulai

We should believe in the core of this universal teaching. We should uphold God guidance which said that we should believe in all the holy books and prophets awaked by God for every community. (Q.16:36). We should believe in whatever holy book, in which all religious followers should be treated fairly, because principally all of them worshipped the same God in which everyone is responsible for his or her own deed, so it is not necessarily becoming a matter of dispute or conflict because eventually we will return to God, and it is the God who will decide which one is right or wrong or which one is having good or bad activities. (Q.42:15). It is therefore we belief that virtues are everywhere, and we should seek it even though we might attain the Chinese country. (Hadits)<sup>18</sup>

So it is not wrong when Budhy M. Rachman said that the ideas of Cak Nur concerning the attitude of submission (*al-Islam*) which often called “the unity of religion” is the cornerstone on his view on “the unity of prophecy” and “the unity of humanity” originated from the concept of the oneness of God “the unity of God.”<sup>19</sup>

Concerning the prophet Muhammad, Nurcholish Madjid said that as a model for human being, the Prophet Muhammad has given the example on how to implement the spirit of the oneness of God into the religious, social and political life based on pluralistic and inclusive spirit of Medina society. As the last that closed the long row of Divine

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dengan keimanan kepada Tuhan sebagai dasar dan pangkal tolak, diteruskan kepada keteguhan menepati janji antara sesama manusia, dan ketabahan hati dan jiwa dalam menempuh jalan hidup yang sulit, yang penuh dengan tantangan dan rintangan – (QS. 2:177).”

<sup>18</sup> “Kita semua meyakini adanya inti ajaran universal itu. Kita semua berpegang kepada petunjuk Tuhan bahwa kita harus beriman kepada semua kitab suci dan kepada semua nabi yang telah dibangkitkan Tuhan pada setiap umat – (QS. 16:36). Kita beriman kepada kitab suci manapun juga, yang semua para pengikut agama itu harus diperlakukan secara adil, sebab pada dasarnya semua mereka itu menyembah Tuhan yang sama, dengan masing-masing bertanggung jawab atas amal-perbuatan mereka sendiri yang tidak perlu menjadi bahan pertengkaran, karena kelak kita sekalian akan kembali kepada Tuhan, dan Tuhanlah yang akan menentukan benar-salah serta baik-buruk segala amal-perbuatan itu – (QS. 42:15). Karena itu kita percaya bahwa kearifan ada di mana-mana, dan kita harus mencarinya meskipun ke Negeri Cina – (Hadits).”

<sup>19</sup> See Budhy M. Rachman *Islam Pluralis, Wacana Kesetaraan Kaum Beriman* (Jakarta: Paramadina, 2001), p. 62.

messenger for human beings, the prophet Muhammad with his Medina state has inherited a model of how to manage society and how to solve something related to governance and power, a model which really can fulfill the material and spiritual needs human beings demand.<sup>20</sup>

In order to strengthen Medina state as a model in managing government and using power, Cak Nur often quoted the assessment of Robert N Bellah, a modern sociologist with high reputation. Bellah assesses that prophet's Medina was a very modern society at that time. Medina society was very modern viewed from the highly commitment, involvement and participation of all levels of society. Medina society was also modern in the sense that its leader was open to be examined based on universal consideration and symbolized by exercising to institutionalize the highest leader in society which was not based on heredity.<sup>21</sup> Unfortunately, the model of Medina state or society cannot be preserved in the long term because there isn't sufficient social infrastructure and culture cable of supporting it.<sup>22</sup>

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<sup>20</sup> "Sebagai suri teladan umat manusia, Nabi Muhammad saw telah memberi contoh bagaimana mewujudkan semangat Ketuhanan Yang Maha Esa yang bersambungan langsung dengan wawasan sosial-keagamaan dan politik yang berjiwa faham kemajemukan (pluralis) dan yang serba meliputi (inklusiv) itu dalam Masyarakat Madinah. Sebagai yang terakhir dan yang menutup deretan panjang para pembawa ajaran Ilahi untuk umat manusia, Nabi Muhammad saw dengan madinah-nya telah mewariskan suatu model, bagaimana mengatur masyarakat serta menyelesaikan persoalan penyelenggaraan pemerintahan dan penggunaan kekuasaan yang benar-benar secara utuh memenuhi dambaan lahir dan batin manusia."

<sup>21</sup> "Sebagai model penyelenggaraan pemerintahan dan penggunaan kekuasaan, Madinah Nabi itu dalam penilaian Robert N. Bellah, seorang ahli sosiologi modern dengan otoritas yang sangat tinggi, merupakan model yang sangat modern untuk zaman dan tempatnya. Masyarakat Madinah itu sangat modern dilihat dari tingginya tingkat komitmen, keterlibatan dan partisipasi seluruh jenjang anggota masyarakat. Masyarakat Madinah itu juga modern karena kedudukan kepemimpinannya yang terbuka untuk kemampuan yang diuji atas dasar pertimbangan universal dan dilambangkan dalam percobaan melembagakan kepemimpinan tertinggi tidak berdasarkan keturunan."

<sup>21</sup> See Nurcholish Madjid, *Cita-cita Politik Islam di Era Reformasi* (Jakarta: Parmadina, 1999), p. 32-35.

<sup>22</sup> See Robert N. Bellah, *Beyond Belief* (New York: Harper and Row Publishers, 1970), p. 150-151 When commented on the failure of the early community Bellah said:



Bellah as quoted by Nurcholish Madjid said:

"There is no question but under Muhammad, Arabian society made a remarkable leap forward in social complexity and political capacity. When the structure that took shape under the prophet was extended by the early caliph to provide the organizing principle for a world empire, the result is something that for its time and place is remarkably modern. It is modern in the high degree of commitment, involvement and participation expected from the rank and file member of community. It is modern in the openness of its leadership positions to ability judged on universalistic grounds and symbolized in the attempt to institutionalize a non-hereditary top leadership. Even in the earliest time certain restraints operated to keep the community from wholly exemplifying this principle, but it did so closely enough to provide better model for modern national community building that might be imagined. The effort of modern Muslims to depict the early community as a very type of equalitarian participation.<sup>23</sup>

Nurcholish said that institutionalization to determine the highest leader based on election was halted forty years after the death of the

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"...In a way the failure of the early community, the relapse into pre-Islamic principles of social organization, is and added proof of the modernity of early experiment. It was too modern to succeed. The necessary social infra structure did not yet exist to sustain it."

<sup>23</sup> "Pelembagaan kepemimpinan tertinggi berdasarkan pemilihan (umum) berhenti sekitar 40 tahun setelah wafat Nabi, karena Khalifah Muawiyah yang menjalankan kekuasaan dari Damaskus pada tahun 51 Hijri menunjuk anaknya sendiri, Yazid, sebagai pengganti. Meskipun ditentang oleh para pemuka masyarakat di Madinah dan Makkah sebagai tradisi kaisar Romawi dan khusro Persi yang bertentangan dengan tradisi Nabi dan para Khalifah Rasyidun, namun Muawiyah berjalan terus dengan keputusannya, dengan mengandalkan kekuatan fisik militer. Dunia Islam mengalami perubahan fundamental dari masyarakat yang menempatkan pemimpin tertinggi melalui pemilihan menjadi masyarakat yang mengenal hanya kekuasaan dinasti geneologis, kepemimpinan berdasarkan pertalian pertalian darah. Sejak itu sumber utama legitimasi politik ialah keturunan, dan masyarakat tanpa sadar menyimpang dari salah satu prinsip sosial-politik Madinah, terdorong untuk berlomba-lomba saling unggul dalam hal garis keturunan dan silsilah. Suatu perubahan yang merupakan gerak kembali ke faham klain dan kesukuan Jahiliah itu pada banyak kalangan masyarakat Islam masih bertahan sampai sekarang. Penyimpangan itu telah menjadi pangkal berbagai kesulitan dan bencana dunia Islam, karena faham dinasti geneologis itu tanpa dapat dihindarkan disusul dan disertai oleh kezaliman despotik, otoriter dan totaliter di bidang sosial, politik, keagamaan, dan seterusnya."

prophet, because the caliph Muawiyah who wielded power in Damascus in 51 H, chose his own son, Yazid, as the successor. Though challenged by community leaders in Medina and Mecca as Roman and Caesar tradition which was in contradictory with the tradition of the prophet and the blessed caliphs, but Muawiyah went ahead on his decision by any means including by using physical power of military. Islamic world then experienced fundamental change from the society which placed their highest leadership through election into society that only recognized the power of dynasty through genealogies, leadership based on blood kinship. From that time the main source of political legitimacy is heredity. Meanwhile society, without being aware of their malaise from socio political principle in Medina, compelled to race in order to show their excellent heredity. The change that returned Muslims to the clan and *Jahiliyah* tribalism still exists, for some Muslims, until today. This malaise is the source of so many difficulties and disaster in Muslims world, because the tradition of genealogies dynasty then, inevitability, followed by despotic, authoritarian and totalitarian in social, politics, religion etc.<sup>24</sup> In boosting his opinion on Medina model, Nurcholish Madjid also quoted Martin Lings who stated that the prophet's Medina society is "The most recent Providences solutions to the problem of government". Medina society was not underway in long history, but because of detailed writings of the scholars, it is until now, as Martin Lings said, remaining as the ideal type that is always used as guidance.<sup>25</sup>

According to Nurcholish the uniqueness of Medina society is not only in its pluralism and its inclusiveness but also in its social political pillar based on *taqwa* and *ridla* Allah, namely, the principle of The Oneness of God in the true meaning.<sup>26</sup> The Medina insight is the most

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<sup>24</sup> See Wawasan Paramadina

<sup>25</sup> "...keunikan masyarakat Madinah tidak hanya segi pluralisme dan inklusivismenya semata. Keunikan masyarakat Madinah ialah bahwa semua itu, serta semua sendi kehidupan sosial-politiknnya didasarkan kepada asas *taqwa* dan *ridla* Allah, yaitu asas Ketuhanan Yang Maha Esa dalam arti yang sebenar-benarnya."

<sup>26</sup> "Wawasan Madinah itulah sepenting-penting Sunnah Nabi yang harus dihidupkan kembali. Dan wawasan Madinah itu pulalah sesungguhnya wujud utama Syariah — yang juga diwasiatkan Allah kepada semua nabi dan rasul — yang wajib dilaksanakan dengan penuh keteguhan hati dan (*istiqamah*)."

important tradition of prophet that should be revitalized. Surely, the Medina insight is the main manifestation of sharia that should be implemented with the full determination.<sup>27</sup>

There are four elements of the structure of the Medina society, according to Bellah. The first is a conception of transcendent monotheistic God. The second, the self responsibility to the call of God through the preaching of his prophet to every individual human being. The third is devaluation or **secularization** of all existing social structure beyond God-man relationship. And the fourth is a new conception of political order based on the divine revelation and thus constituted themselves a new community, *umma*.<sup>28</sup>

When these ideas transformed to Indonesian context, Cak Nur did not hesitate to support the idea of nationality, *Pancasila* as Indonesia's ideology, the motto unity in diversity (*Bhineka Tunggal Ika*) and democracy. When addressing the speech to commemorate 60 years Indonesian independence day, few days before his passing away, Cak Nur said that "Modern nation state is the state based on justice, transparency and democracy. Justice means that human beings are equal, there is no discrimination based whatever reason. Non discrimination is the

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<sup>27</sup> According to Bellah as quoted by Nurcholish Madjid in his book *Cita-Cita Politik Islam Era Reformasi*, the structural element of early Islam that are relevant to our argument. First was a conception of transcendent monotheistic God standing outside the natural universe and related to it as creator and judge. Second was the call to selfhood and decision from such a God through the preaching of his prophet to every individual human being. Third was radical devaluation, one might legitimately say secularization of all existing social structure in the face of God-man relationship... And Finally, there was a new conception of political order based on the divine revelation and thus constituted themselves a new community, *umma*. See *Cita-cita Politik Islam*...p. 33-34

<sup>28</sup> See Kompas Cyber Media, August 16, 2005. The original text is "Negara bangsa yang modern adalah negara yang berkeadilan, terbuka dan demokratis. Berkeadilan mengandung paham kesamaan antar manusia, tidak ada perbedaan di antara warga negara berdasarkan alasan apapun juga. Non diskriminasi adalah persyaratan bagi adanya keadilan," kata Cak Nur. "Masyarakat yang adil adalah yang terbuka, toleran, yang tidak mengizinkan adanya pemaksaan pendapat kepada kelompok yang lain. Keterbukaan ini menjadi syarat dari adanya demokrasi, karena demokrasi adalah masyarakat yang terbuka, yang intinya ialah kebebasan untuk menyatakan pendapat baik pada level pribadi maupun level institusional," kata Cak Nur.

prerequisite for the emergence of justice.” Cak Nur added that: “Justice society is society based on transparency, tolerance not allowing any coercion of opinion toward other. Transparency is condition for democracy because democracy is the open society whose core is the freedom of opinion in individual as well as in institutional level.”<sup>29</sup> Justice needs egalitarianism attitude that sees all human beings are equal with their same potential, so the attitude of mutual trust among society must be developed.

Cak Nur sees positively the **democratic secular state** such as United States of America. Cak Nur likely believed that even the secular democratic state like US originated from deep religious reflection carried out by the European emigrants such as represented by George Washington, Benjamin Franklin, Thomas Jefferson, John Adams and his son John Quincy Adam, Alexander Hamilton, James Madison and etc. Part of them such as Thomas Jefferson and Alexander Hamilton rightly admitted to have no formal religion. But they are acknowledged that their individuals or social moral and ethical insight, particularly their metaphysical basic, acquired from the tenets of Isa al-Masih (Jesus) as the great guru in ethics.<sup>30</sup>

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<sup>29</sup> “Mungkin kita harus mengingatkan diri kembali bahwa apa yang sekarang ada di Amerika yang disebut demokrasi sekuler-pun tumbuh dari bibit-bibit perenungan keagamaan yang mendalam, yang dibawa oleh para imigran dari Eropa ke Amerika seperti yang kelak di sana diwakili oleh pandangan-pandangan George Washington, Benjamin Franklin, Thomas Jefferson, John Adams dan anaknya, John Quincy Adam, Alexander Hamilton, James Madison dan lain-lain. Sebagian dari mereka itu, seperti Thomas Jefferson dan Alexander Hamilton, memang mengaku tidak beragama formal atau beragama dalam arti menganut Deisme, Unitarianisme dan Universalisme. Tetapi mereka juga sekaligus mengaku bahwa dalam hal wawasan moral dan etika pribadi dan sosial mereka peroleh dasar-dasar metafisisnya dalam ajaran-ajaran Isa al-Masih yang bagi mereka adalah guru agung budi pekerti luhur.” See. *Wawasan Paramadina*.

<sup>30</sup> “Nilai-nilai Madinah itu diringkaskan dalam wasiat terakhir Nabi yang beliau sampaikan dengan seluruh ketulusan jiwa beliau dalam Pidato Perpisahan (Khutbat al-Wada), dengan inti pesan kesucian hidup, harta dan harkat manusia (al-dima wa al-amwal wa al-aradl— ‘livès, property, sacred honor’). Dengan telah disampaikannya wasiat itu, di sore harinya, diwahyukan kepada Nabi bahwa Allah telah menyempurnakan agama umat manusia dan melengkapkan rahmat karunia-Nya, serta menyatakan Agama Islam telah mendapat ridla atau perkenan-Nya.

Inti wasiat Nabi itu diterima dengan tulus oleh seluruh kaum beriman, dan dilaksanakan hampir-hampir secara taken for granted, tanpa masalah. Inti wasiat Nabi



Cak Nur also believe that the values of Medina such as spoken by the prophet in the last and farewell preaching or *khutbah wada'* comprised about the sacredness of lives, property and sacred honor (*al-dima wa al-amwal wa al-aradl*), have been transformed to Europe through the long chains from the crusade battle, the Italian philosopher Giovanni Pico della Miralonda who in the 1486 addressing an oration on the Dignity of Man, continued by John Lock up to Thomas Jefferson who in declaring the independence of America used the formula which was similar to the one formulated by the prophet Muhammad, in seeing the sacredness of life, liberty and pursuit of happiness.<sup>31</sup>

### C. Biographical Sketch of Abu Bakar Ba'asyir (1938- )

Abu Bakar Ba'asyir bin Abud Baamulim Ba'asyir was born in Jombang on August 17, 1938. His father and grandfather were Yemeni origin. They have become Indonesian citizen. His mother also Arabic origin but his grandmother is a Javanese. Although his parents are lay persons but both of them are devout people who diligently kept religious ritual. His father died when Ba'asyir was ten years old. After the death of his father, his mother then took care of him.<sup>32</sup>

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itu menyebar ke kalangan umat-umat lain, dan tidak lama setelah terjadi kontak dunia Eropa dengan dunia Islam akibat perang Salib, inti wasiat Nabi itu merembes ke Eropa dan mempengaruhi perjalanan masyarakat di sana melalui falsafah kemanusiaan Giovanni Pico della Mirandola. Bangsawan sekaligus hartawan dan ilmuwan dari Italia itu pada tahun 1486 menyampaikan orasi tentang harkat dan martabat manusia (*Oratio de hominis dignitate*— 'Oration on the Dignity of Man') di depan kaum intelektual Eropa yang ia undang ke Roma. Diawali oleh falsafah kemanusiaan Pico pada akhir abad 15 itu ide hak-hak asasi manusia mulai berkembang di Eropa, yang sesampainya ke tangan John Locke hak-hak itu dirumuskan sekitar kesucian 'hidup, kebebasan dan harta' (*life, liberty, and estate* atau *property*). Pandangan-pandangan John Locke banyak mempengaruhi alam pikiran para bapak pendiri Amerika Serikat, khususnya mereka yang menganut Deisme, Unitarianisme dan Universalisme. Dan melalui pena Thomas Jefferson yang amat fasih kita mendapatkan dalam Deklarasi Kemerdekaan Amerika rumusan nilai-nilai kesucian manusia sekitar (*'life, liberty, and pursuit of happiness*) yang pada kalimat terakhir Deklarasi itu rumusannya ditegaskan sebagai (*lives, fortunes, sacred honor*), persis seperti frasa Nabi dalam Pidato Perpisahan." See Wawasan Paramadina.

<sup>31</sup> *Tempo*, Edisi April 2004.

<sup>32</sup> *Ibid.*

He got his first religious education from *surau* (the place of worship) in his village as well as from his mother. He continued his senior high school in Surabaya. Unfortunately, because of "financial constraint" he terminated his study in the first grade. In order to help family's economy, Ba'asyir helped his brother open textile and garment home industry.<sup>33</sup>

In the age of twenty one, in 1959, Ba'asyir enrolled *Pesantren Darussalam* Gontor. In this pesantren Ba'asyir was taught by Nurcholish Madjid for one year. "When I enrolled he was in the sixth grade" Ba'asyir memorized. But it is KH Imam Zarkasyi, the founder of Gontor which gave significant influence on his character, according to his confession. After graduating from Gontor in 1963, he continued to Al-Irsyad University majoring on sharia. He could not finish his study. It was not because of financial constraint but that of his involvement in Islamic preaching activities in society. "My preaching reached to very distance place to the edges of villages." He added.<sup>34</sup>

Ba'asyir is well known for highly enthusiasm in Islam. His dreaming is only one, enforcing Islamic sharia in this archipelago. When he studied in Al-Irsyad University he became the chairperson of Student Institute for Islamic Preaching (LDMI). He was also as the general secretary of Al-Irsyad Youth, in Solo branch.

*During his activities in community, Ba'asyir met with Abdullah Sungkar<sup>35</sup> and Hasan Basri. They then agreed to establish Islamic Preach-*

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<sup>33</sup> *Ibid.*

<sup>34</sup> Abdullah Sungkar was born in 1937 and died in November, 1999 in Bogor. He is a Muslim cleric and the founder and the leader of *Jamaah Islamiyah* (JI). He is one of the leader of *Fisabilillah* faction in NII ((Indonesian Islamic State) which at that time has been scattered. His reign territory including Ngruki Pesantren that is used as the base of his movement. His followers who have been trained reached 5000 persons, part of them had accepted military training. See. Al-Chaedar, *Pemikiran Proklamator Negara Islam Indonesia* (Jakarta: Darul Falah: 1999), p. 227.

<sup>35</sup> The aim of *Jamaah Darul Islam* is returning the glory of Kartosuwiryo who had proclaimed NII (Indonesian Islamic State) in West Java on August 7, 1949. NII which deemed legal then attacked an occupied by Sukarno (The first Indonesian president). Therefore it is the obligation of all members of *Jamaah Darul Islam* to liberate the place in which God law or Islamic sharia ever declared and promulgated. See. Nasir Abas, *Membongkar Jamaah Islamiyah*, Jakarta, Grafindo, 2006, p. 83-84.

ing Radio, named ABC (*Al Irsyad Broadcasting Commission*) and Surakarta Islamic Preaching Radio (*Radis*), in 1969. Few years later these two Radios were prohibited to air their program by Soeharto government because they always incited Islamic militancy and sharply criticized government.

On March 10, 1972 Abu Bakar Ba'asyir along side with Abdullah Sungkar, Yoyo Rosawadi, Abdul Qohar H. Daeng Matase and Abdullah Baraja established *Pesantren* (Boarding school) in Ngruki, Sukoharjo, Central Java. When Soeharto introduced Pancasila as the sole ideology of Indonesian, he refuted. He even incited people to refuse Pancasila as the sole basic for all organization. He also prohibited his students to salute the white and red Indonesian flag, because according to him this act is part of the polytheist act.

In 1983, Abu Bakar Ba'asyir and Abdullah Sungkar were detained. The accusation was inciting people to refuse Pancasila as the sole basic ideology of Indonesia. He taught his pupils that saluting or greeting Indonesian flag was part of the *syirk* (polytheist) deed. He was accused as the part of the movement led by Hispran (Haji Ismail Pranoto), prominent figure in DI (*Darul Islam*) and TII (Indonesian Islamic Armed Force) in Central Java. Both Abu Bakar Ba'asyir and Abdullah Sungkar were sentenced to 9 years prison.

In February 11, 1985 when their case was still being tried in Supreme Court for appellate, and their status was in house detention, Ba'asyir and Abdullah Sungkar escaped to Malaysia through Medan. In Malaysia Abu Bakar Ba'asyir, Abdullah Sungkar and *ajengan* Masduki established *Darul Islam* in 1985. In 1987 its name was then changed to be *Jamaah Darul Islam*.<sup>36</sup> This organization was led together collegially by the three. This organization then broke up when *ajengan* Masduki refused Abu Bakar Ba'asyir's and Abdullah Sungkar's ideas to carry this organization through violence act. In the peak, they scattered, *ajengan* Masduki remained in *Darul Islam* while Abu Bakar Ba'asyir and Abdullah Sungkar formed a new one named *jami'atul minal muslimin* in 1996. The later congregation was then well known among the followers as *Jamaah Islamiyah* (JI). During his stay in Malaysia Ba'asyir preached

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<sup>36</sup> See Nasir Abas, *Membongkar...* p. 85.

Islam based on his strict understanding on the Koran and Hadits. The source derived from Nasir Abas who said that the scattering (*infishol*) between *Ajengan Masduki* in one side and Ust. Abdul Halim (Abdullah Sungkar) and Ust. Abdus Somad (Abu Bakar Ba'asyir) in the other side occurred in 1993.<sup>37</sup> So there are two organizations since then, *Jamaah Darul Islam* led by *Ajengan Masduki* and *jamaah Islamiyah* led by Ust. Abdul Halim who is well known in Indonesia by Abdullah Sungkar. Abdullah Sungkar led *jamaah Islamiyah* until his death in 1999. After the death of Ust. Abdul Halim, the top leader of this organization was taken over by Ust. Abdus Somad.<sup>38</sup>

On September 25, 2002, Abu Bakar Ba'asyir in his interview with TEMPO magazine said that during his stay in Malaysia he never established organization or movement. During his stay overthere he and Abdullah Sungkar just taught Islam based on *sunnah nabi* (prophet tradition). "I am not involved in politics. Once or twice in a month I visit Singapore. We teach *jihad* to Muslims and among them, they go to *jihad* in Philippine or Afghanistan but all of them do it based on individual preference." he said.

After returning from Malaysia in 1999, Ba'asyir was involved in managing MMI (Indonesian Mujahidin Council), the alliance of mass organization which determined to enforce Islamic sharia in Indonesia. When this organization for the first time performed congress in Yogyakarta in 2002, to team up this leadership, Abu Bakar Ba'asyir was elected as the chairman. As the alliance of mass organization the member of MMI might be individual or institution. MMI aimed to become umbrella organization for all Muslims together who agree to fight for the mission; enforcing Islamic sharia in Indonesia.

As mentioned above, Abu Bakar Ba'asyir ( Ust Abdus Somad) was also an *amir* or the leader of al-Jamaah al-Islamiyah replacing Abdullah

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<sup>37</sup> *Ibid.*, p. 92. Abdus Somad is alias of Abu Bakar Ba'asyir when he stayed in Malaysia.

<sup>38</sup> *Ibid.*, p. 116 The original text is "Hanya anggota al-Jamaah al-Islamiyah yang menjabat selaku pimpinan mengetahui akan status beliau selaku Amir al-Jamaah al-Islamiyah." According to Nasir Abas one of the ten principles of al-jamaah al-Islamiyah is to perform Islam purely and totally through the system of congregation (*jamaah*) then (established) *daulah* ( Islamic state) , then *khilafah* (caliphate). *Ibid.*, p. 105.



Sungkar (Ust. Abdul Halim) after he died in 1999. To consider al-Jamaah Islamiyah (JI) as a form of a secret organization (*tanzim sirri*), it turns out that only a few persons attaining the level of leader know his status as *amir*.<sup>39</sup>

In commenting on the core of Islam and Islamic sharia Abu Bakar Ba'asyir said that: "The core is *tauwhid* (the oneness of God). But there are many mistakes in understanding *tauwhid*. They think *tauwhid* is just believing in God and in the prophet Muhammad. If merely belief in God, it is not different from the Devil. The true *tauwhid* is to confess the oneness of Allah and the oneness of God law. This is *tauwhid* that should be explained. If you are only confessing the oneness of God but not acknowledged the oneness of God law, your *tawhid* is failure. Allah is the only one we worshipped. We live only to worship Him. And we are only allowed to be regulated by the law of God. This is the real *tauwhid*. This is the one that many don't understand. They think if they have belief in the almighty God it is enough, then they can recklessly nurturing their carnal desire."<sup>40</sup>

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<sup>39</sup> Interview conducted in Januari 2007. The original texts is "Inti pokoknya itu Tauhid. Tapi orang keliru memahami tauhid, dikira tauhid itu hanya percaya kepada Allah dan percaya pada Nabi Muhammad. Kalau hanya percaya kepada Allah Iblis juga percaya. Yang disebut Tauhid itu mengesakan Allah dan mengesakan hukum Allah. Itu namanya Tauhid. Ini yang harus diterangkan. Kalau kamu mengesakan Allah tapi tidak mengesakan hukum Allah itu gagal tauhidnya. Ini yang harus diterangkan. Mengesakan Allah dan mengesakan hukum Allah. Yang harus kita ibadahi itu hanya kepada Allah. kita ini hidup hanya beribadah kepada Allah. Dan kita hidup hanya boleh diatur dengan hukum Allah. Itu namanya Tauhid. Ini yang nggak paham orang. Dikira kalau orang sudah percaya Allah itu maha kuasa selesai. Lalu hidupnya seenaknya sendiri diatur hawa nafsu."

<sup>40</sup> Interview conducted in Januari 2007. The original text is "..Orang Islam itu sangat mempercayai semua syariat Islam *bener* mutlak dan paling unggul dan sesuai untuk semua jaman dan setiap tempat. Iman terhadap syariat semacam itu harga mati. Maka *nggak* mau diajak kompromi. Inilah yang disebut orang Islam. Oleh karena itu tidak mau mengorbankan syariat demi yang lain. termasuk demi persatuan bangsa. Dia memang menginginkan persatuan, termasuk orang kafir, kita ingin hidup rukun damai dengan mereka. tapi Syaratnya, jangan meninggalkan syariat Islam. Jadi Harus hidup dibawah naungan syariat Islam. Kita bersatu rukun dengan orang kafir. Syarat ini harga mati tidak bisa tidak bisa ditawar. Ini yang disebut mukmin"

In the view of Abu Bakar Ba'asyir, Muslims should believe that Islamic sharia is absolutely correct and excellent suitable for each time and place. He further said that "Muslims must believe in all of Islamic sharia which are absolutely correct and excellent whenever and wherever. Believing in such sharia is dead price, there should be no compromise. This is what we called Muslim. Therefore Muslims do not want to sacrifice sharia to be exchanged by others including on behalf of the unity of the nation. The unity is good including with the infidels, we are willing to live in peace with them but it should be in condition, don't abandon Islamic sharia. So the life should be in the umbrella of Islamic sharia. This condition is dead price. There is nothing that can be reduced or to be bidden. This is what is called (true) believer."<sup>41</sup>

Ba'asyir does not agree if the implementation of sharia is limited to few aspects such as what is happening in Indonesia which just implements sharia limited to the matter of marriage, *wakaf* and inheritance such as regulated in KHI (Islamic law compilation). Ba'asyir wants that sharia should be implemented totally in all aspects of life. "It is right, Islamic sharia should be implemented totally (*kaffah*). It is a must. It cannot be negotiated if they want to get salvation." He added.<sup>42</sup>

Back to Indonesian history, when Muslim leaders gave up on Piagam Jakarta, to me it is the wrong tolerance, untrue tolerance, in which for the sake of unity with Christianity in Indonesian state, Islamic sharia then sidelined. This tolerance caused disaster until now. Strangely it is this tolerance that is developed now. Ba'asyir said.<sup>43</sup>

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<sup>41</sup> *GATRA*, Edisi 40 Beredar Jumat 15 Agustus 2003 "...Ya. Syariat Islam harus dilaksanakan secara "*kaffah*" (menyeluruh). Harus. Tidak boleh tidak. Harus. Itu tidak ada tawar menawar. Mau: Selamat. Tidak mau: Tidak selamat. Selesai!"

<sup>42</sup> *www.indosia.com*. The original text is "Menengok sejarah, saat ummat Islam melepaskan Piagam Jakarta, menurut saya, itu toleransi yang batil. Toleransi yang salah, di mana demi untuk bersatu dengan orang Kristen dalam satu wadah bangsa Indonesia, rela melepaskan syaria Islam. Ini toleransi yang batil. Itu yang menimbulkan *bala'* (kerusakan) hingga saat ini. Anehnya, toleransi inilah yang dikembangkan hingga saat ini."

<sup>43</sup> *Taushiah Ustad Abu Untuk Muslim Indonesia* dalam *Majalah Sabili*, No 12 Edisi Januari, 2003, p. 35. The original text is "Tidak ada yang lebih berharga dalam hidup ini daripada memperjuangkan syariat Allah. Tidak ada perjuangan yang lebih bernilai di dunia ini selain perjuangan menegakan hukum-hukum Allah di Muka bumi. Inilah yang harus dipahami dan dipegang teguh oleh kaum Muslimin. Tidak

Ba'asyir sees that the central of his struggle is to enforce *sharia* or God law. He said that "In this life there is nothing more worthy than struggle to enforce *sharia*. There isn't any struggle in this world that is more important than the struggle to uphold God law in this earth. It is what should be understood by all Muslims. There isn't any negotiation in this process. Take it all or leave it all".<sup>44</sup>

In another occasion Ba'asyir said that "Enforcing Islamic *sharia* is absolute for every Muslim. Negotiation in whatever form cannot be accepted including consideration for maintaining the unity. Remember all and every victory that we grasp not because of human smartness or sophisticate but because of Allah's blessing. The victory can only be got if we are persistent in upholding Islamic *sharia* or Allah's *sharia*. It is better to break apart instead of not being able to perform *sharia* which has been dictated by God. Life in this world is just to do it."<sup>45</sup>

Ba'asyir described himself as a fighter for Islamic *sharia* who is ready to take a risk for his struggle including to be branded as extremist. He further said that "this is the natural law (*sunnatullah*), since the age of Rasulullah until now, the infidels always tried to discredit Islam.

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ada tawar menawar dalam proses ini. Terima sepenuhnya atau tinggalkan seluruhnya."

<sup>44</sup> *Ibid.*, p. 35. The original text is "Menegakan syariat Islam itu sifatnya mutlak bagi tiap Muslim, tawar menawar dalam bentuk apapun dalam syariat tidak bisa diterima. Termasuk pertimbangan-pertimbangan seperti persatuan dan kesatuan. Tolong diingat semua dan setiap kemenangan yang kita raih ini bukan karena kecanggihan dan kepintaran manusia tetapi lebih karena anugrah dan rahmat Allah semata. Kemenangan itu bisa diraih hanya jika kita teguh memegang syariat Islam. Syariat Allah. Lebih baik kita bubar daripada kita tidak bisa melaksanakan syariat yang telah ditetapkan Allah. Hidup di dunia ini hanya untuk itu saja."

<sup>45</sup> *www.indosiar.com*. "...Itu memang sudah sunatullah, sejak Rasulullah hingga sekarang, kaum kafir selalu berusaha mendiskreditkan Islam. Nabi sendiri pernah disebut *majnun* (gila), dan pemecah belah ummat. Hal itu memang perlu kita hadapi, tapi tidak perlu khawatir karena itu memang sudah menjadi nyanyian orang kafir. Mereka tidak berani menghadapi Islam secara hujjah, mereka tidak bisa menghadapi Islam dengan argumen. Karena itu dicari isu-isu yang menjelekkan ummat Islam. Misalnya, ekstrim, keras, teror dan sebagainya. Kepada ummat Islam perlu dijelaskan, begitulah lagunya musuh itu. Yang mereka maksudkan ekstrim itu adalah ummat Islam yang mereka rasakan benar-benar akan menegakkan syariat Islam. Mereka khawatir. Lalu mereka melempar cap-cap agar ummat Islam takut atau menjauh dari

The prophet himself was once called *majnun* (crazy), a destroyer or the breaker of community. It is what we should face but we don't worry because it has become the song of the infidels. They (infidels) are not dare to face Islam by argument therefore they look for issues that undermine and weaken Islamic society, for instance by labeling them as extremists, hardliners, terrorists and so on. So it is important to inform Muslims society that these are the songs of the enemy. What they mean extremists are Muslims who want to enforce Islamic sharia. They are worried, then they released the brands so Muslims will be afraid and distanced themselves from the fighters".<sup>46</sup>

Regarding the opinion saying that sharia state or Islamic state has no clear concept, Ba'asyir refused this opinion. He said that "the concept actually has already existed, arranged by *Darul Islam* figures. Despite being called rebellion, they actually has prepared these concepts. Now it is just to be revised. Islamic sharia is actually a simple matter. For instance related to criminal code there are *hudud* and *qishash*, both have been mentioned in the Koran. Of course the real application of sharia will be determined by situation. So it is important to promulgate it first, whereas the real application will be step by step. There are too many concepts (on sharia state), if we compare with Indonesian when they are fighting for independence, aren't there any concepts? Pancasila is their only concept, so in order to manage the new state then they borrowed it from the West, isn't it? Why so many people said that Islam has no concept (on Islamic state)? The concept is there and *Majlis*

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orang-orang yang berjuang itu."

<sup>46</sup> [www.indosiar.com](http://www.indosiar.com). "...Sebenarnya konsep-konsep itu sudah ada, dibuat oleh tokoh-tokoh Darul Islam. Terlepas dianggap sebagai pemberontak, tetapi mereka telah menyiapkan konsep-konsep itu. Sekarang tinggal direvisi sana-sini. Syariah Islam itu sebenarnya sederhana saja. Misalnya, menyangkut kriminal, ada *hudud* dan *qishas*, keduanya ada dalam al-Qur'an. Tinggal mengundang saja. Soal penerapannya tentu saja melihat kondisi. Tapi yang penting diundangkan dulu, penerapannya nanti secara bertahap. Jadi, konsep-konsep itu sebenarnya sudah terlalu banyak. Bandingkan dengan bangsa Indonesia dulu saat memperjuangkan kemerdekaan, bukankah malah tidak punya konsep? Konsepnya hanya Pancasila. Untuk mengatur negara mereka tidak punya konsep, lalu konsepnya mengambil dari Barat. Kan begitu. Lalu mengapa orang selalu mengatakan Islam belum punya konsep? Konsep itu sudah ada, tinggal merevisi

*Mujahidin* ( mass organization that he chairs) will revise and elaborate it.”<sup>47</sup>

Ba’asyir strongly attacks the notion of secularism which will separate religion from the government. To him Islam has regulated all aspects of life from individual or private matter to public or state matter. “Secularists are not less dangerous if compared to the other enemy of Islam because they are blurring so many people who assume that they are good people but actually they are not more than hypocrites. Their acts are like hypocrites but I don’t dare to called them hypocrites.”<sup>48</sup>

When asked about the mission or program of MMI, Ba’asyir said that there are two main programs of MMI, firstly, socialization. This program is stressed on building Muslim’s awareness that fighting for sharia enforcement is obligatory in the same level as obligation to conduct *shalat* (daily prayer). Enforcing sharia is the sole solution in overcoming the so many problems faced by Indonesia. In order to socialize *sharia* MMI will manage a seminar inviting pastors or priests. “We are willing to inform them that the application of *sharia* will not suppress them. Conversely, they will receive circumstance, more comfortable, more justice for them”. Ba’asyir said.<sup>49</sup>

The second program is crushing secular thinking firmly. MMI will release guidance to determine who secularists are and how to treat them according to Islamic jurisprudence. We will highlight that secularists are the enemy of Islam although they use Muslim “clothes”. If they become leaders, Muslims are forbidden to follow their leadership so it is suggested for Muslims not to follow them.

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dan Majelis Mujahiddin akan melakukan hal itu.”

<sup>47</sup> [www.indosiar.com](http://www.indosiar.com). “Jadi kaum sekuler ini tidak kalah bahaya dibanding musuh-musuh Islam yang lain, bahkan lebih bahaya. Karena apa? sebab ia kabur, sehingga rakyat menganggap ia itu baik. Mereka itu semacam munafik. Pekerjaannya seperti orang munafik, tapi kami belum berani mengatakan munafik.”

<sup>48</sup> [www.indosiar.com](http://www.indosiar.com)

<sup>49</sup> [www.indosiar.com](http://www.indosiar.com). “Bahkan sejak merdeka negara ini dikuasai kelompok sekuler, seperti Soekarno, Soeharto dan sekarang Abdurrahman Wahid. Sehingga Islam tidak pernah mendapat tempat sesuai syariahnya. Paling-paling hanya ditaruh di Departemen Agama. Pada jaman Soeharto tempat itu sedikit lebih luas, tapi itu pun untuk kepentingan politik dia. Jadi, Indonesia ini sejak merdeka hingga sekarang dikuasai orang-orang sekuler, **bukan dikuasai ulama**. Wajar kalau kemudian semuanya

In Ba'asyir opinion a state should be ruled by Ulama (cleric) that understand and believe in the excellently of *sharia*. Since Indonesia from the beginning managed by secular leaders, it is understood if the result is a chaos and moral degradation. "Since the independence day, this state has always been ruled by secular groups such as Soekarno, Soeharto and now (when Ba'asyir was saying) Abdurrahman Wahid. So Islam never has an appropriate place according to its *sharia*. The maximum it (Islam) was placed in religious ministry. In Soeharto era there was a broader space for Islam but it was just given for the sake of his political interest. So, **Indonesia from the beginning until now is ruled by secular people, not ruled by *ulema*. So it is understood if it leads to the destruction of the nation and Islam.**"<sup>50</sup>

Ba'asyir also refuted opinion which branded Islamic laws inhuman by referring to cutting hand for theft and other penalty code in

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mengarah kepada kerusakan, baik orangnya (bangsa) maupun Islamnya."

<sup>50</sup> [www.indosiar.com](http://www.indosiar.com). The ooriginal text is "Contoh lain, misalnya soal hukum potong tangan. Seolah-olah hukum ini tidak manusiawi. Pada hukum yang dibuat manusia, umumnya orang yang mencuri dipenjara. Sebenarnya, hukuman ini tidak manusiawi. Pertama, orang yang dipenjara keluarganya jadi telantar, tidak ada yang memberi nafkah. Kedua, dia juga belum tentu kapok dan nyatanya memang banyak yang tidak kapok. Bukti bahwa penjara itu tidak mampu membuat orang jera, pada jaman Orde Baru dulu ada 'petrus' (penembakan misterius). Apa latar belakang petrus, karena pemerintah sudah putus asa menghadapi para kriminal itu. Mereka dipenjara juga tidak kapok, padahal pemerintah sudah keluar biaya banyak, karena harus memberi makan selama dipenjara. Akhirnya diputuskan 'dipetrus' saja. Coba dalam hukum potong tangan. Pencuri yang dihukum tangan itu bukan asal pencuri. Kalau mencuri karena kelaparan, bukannya dihukum malah dilepas dan dikasih bantuan. Hukum potong ditimpakan bila dianggap benar-benar sudah tidak bisa diperbaiki. Dan setelah dipotong ia dilepas, tidak dipenjara lagi, agar tetap bisa mencari nafkah untuk keluarganya. Kedua, potong tangan itu bakal memukul dirinya secara telak, sehingga ia kapok. Dalam sebuah hadits dikatakan, bila kemudian ia tobat maka tangannya itu akan mendahuluinya masuk surga. Sebaliknya, bila tidak kapok, tangannya itu mendahului masuk neraka. Jelas hukum potong tangan terbukti lebih efektif, lebih manusiawi dan lebih hemat biaya, Jadi, kalau mau dibahas, hukum potong tangan lebih logis. Bagaimana tidak logis *wong* yang menciptakan itu yang membuat manusia. Apa yang telah ditetapkan oleh Allah, pasti sesuai dengan manusia, sampai akhir zaman. Seperti hukum zina, mencuri dan sebagainya, itu mesti efektif dalam segala zaman. Sebab kalau tidak sesuai, tentu ada kekurangan pada diri Khaliq. Selama ini, karena kepentingan politik, hukum Islam digembar-gemborkan sebagai hukum yang



Islamic law. While in the man made law, the theft commonly punished in prison. Cutting hand, he said, is likely deemed inhuman. Well, it is the prison that is surely inhuman for such reasons. Firstly, persons who are jailed, their family are neglected because there is no breadwinner anymore. Secondly, prison does not always make someone repentant. The evidence that prison is not able to make someone wary is the *petrus* (mysterious killing policy aimed to curb criminal in the era of Orde Baru ). The background of *petrus* is because the government was desperate in dealing with criminal act. Prison not make them repentances whereby the government had spent so much money for their food during their detention. Finally, the government made *petrus* policy. Imagine if there had been a cutting hand.

(In sharia penal code) the thief whose hand will be cut is not picked up recklessly. If he steals because of hunger he is not punished but is released and given an aid. The cutting hand penalty is just applied to somebody who cannot be revised. After his hand is being cut he is released and not jailed so he still can support family with his earning. Secondly cutting hand will shock him or her so he or she becomes wary. It is narrated in a *hadits* (written tradition associated to the prophet) if the thief is repentant, his hand will in advance enter paradise, conversely if he doesn't wary, his or her hand will previously enter hell. So it is clear, Ba'asyir said, that "cutting hand is proved more effective, more human and gives lesser cost." So, Ba'asyir added, if it is discussed, cutting hand is more logical. Why not logical, it is ruled by the Creator of humans. What is decided by Allah, of course, is suitable for humans until the end of the days. Punishment for adultery, theft and so on is certainly effective for any time. If this punishment is not effective, it means that there is something imperfect in the Creator. But because of political interest, Islamic law, recently, is often described as cruel law. This cannot be separated from the deeds of secular supporters."<sup>51</sup>

Ba'asyir realizes that until now there is no single nation that has implemented Islamic sharia comprehensively (*kaffah*). He said that "there

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kejam. Ini juga tidak lepas dari perbuatan orang-orang sekuler."

<sup>51</sup> [www.indosiar.com](http://www.indosiar.com). "Memang kita harus mengakui, sekarang belum ada negara di dunia ini, sekalipun mengaku negara Islam, yang sepenuhnya melaksanakan hukum Islam, termasuk Pakistan. Persoalannya hanya tidak ada kemauan saja. Arab Saudi itu

isn't any. In this world there is no state that has enforced Islamic sharia comprehensively. In one state that is more and in the other there is less. But there isn't any state that has totally implemented *sharia*, including Pakistan. The problem is there is no will. Arab Saudi is rather better although still not complete yet.”<sup>52</sup>

Regarding the model or reference for sharia state, Ba'asyir prefers to use Saudi Arabia or Pakistan. Ba'syir cautioned to the Iran model by considering that they are not *ahlu sunnah wal jamaah*. He said that concerning to Iran, the problem is because they are Syi'I so we should be cautious. “We don't negate the possibility of some aspects of their economics which are in line with Islam. However, since they are Syi'ah, their teachings are contrary to *Ahlus Sunnah wal Jamaah*. So, we don't make them as the basic reference.”<sup>53</sup>

Abu Bakar Ba'asyir said that Muslims should follow the steps done by the prophet (*sunnah nabi*) as the prophet should be treated as a model. It is said (in the Koran) *laqad kana lakum fi Rasulullah Uswatun Hasanah*. Islam, in the prophet era, according to Ba'asyir was implemented in the form of government by enforcing Islamic sharia.<sup>54</sup> It is clear, in Ba'asyir's view, sharia cannot be fully implemented if there is no state or government.

Concerning to the name of the state, Abu Bakar Ba'asyir said that the name of state isn't very important. To him Islamic state or Unitary State can be accepted as long as their positive law is based on Islam. About nomenclature it doesn't matter to be called Islamic State or

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lumayan, meski juga belum sepenuhnya.”

<sup>52</sup> “Kalau Iran, persoalannya karena dia Syi'ah, jadi kita harus hati-hati. Kita tidak menafikan, mungkin beberapa aspek ekonomi mereka sesuai dengan Islam. Tetapi karena mereka Syi'ah, yang ajarannya bertentangan dengan *ahlu sunnah wal jama'ah*, kami tidak menjadikan mereka sebagai rujukan pokok.”

<sup>53</sup> Interview conducted in January 2007. The original text said “Langkahnya itu harus mengikuti sunnah nabi. Karena nabi itu contoh. Nabi itu *laqod kana lakum fi Rasulillah...uswatun hasanah*. yang paling baik. termasuk contoh mengamalkan Islam dan contoh cara memperjuangkan Islam. contoh mengamalkan Islam yaitu Islam harus diamalkan dalam bentuk pemerintahan. itu bukan politik tapi contoh Nabi. cara memperjuangkan adalah dengan menegakan syariat Islam.”

<sup>54</sup> Interview conducted in Januari 2007. “Masalah nama mau Negara Islam mau Negara NKRI ataiu Negara apa terserah. Tapi yang penting Negara itu dasarnya Islam

Unitary State of Republic Indonesia. The most important thing is that the law should be based on Islam. This is the prophet tradition (*sunnah nabi*). This is the way to perform Islam.<sup>55</sup>

Abu Bakar Ba'asyir opposed the concept of human brotherhood and national brotherhood introduced by Abdurrahman Wahid and other clerics in Nahdatul Ulama. He said that "according to Abdurrahman Wahid, there are three kinds of brotherhood: *ukhuwah Islamiyah*, *ukhuwah basyariyah* and *ukhuwah wathoniyah*. This concept is very dangerous, in Islam there is no brotherhood except Muslims brotherhood. Outside Islam all are enemies. However, in certain condition they can be treated well in line with sharia norms. According to Islam, world can be divided into two: Islam and Jahiliyah (ignorance). Between Islam and Jahiliyah there isn't any brotherhood. Between Islam and Jahiliyah is an endurance enmity. Like pure water and dirty water when they are mixed, all become dirty water. There is no third water. Therefore the concept of *ukhuwah basyariyah* (human brotherhood) and *ukhuwah wathaniyah* (national brotherhood) are poison and dangerous.<sup>56</sup>

In his reaction to Soeharto regime in imposing Pancasila as the sole ideology of Indonesia, Ba'asyir said that Pancasila is the product of engineering made or fabricated by Christian to destroy all institution in this country. In Ba'asyir's view, the idea to make Pancasila as the sole ideology is the peak of politics to suppress political force of Muslims. He said: "surely the only one, Pancasila as the base of ideology is the Christian/Catholics engineering aimed to destroy all of Islamic institu-

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hukumnya positifnya Islam, itu sunnah nabi. Itu cara ngamalkan Islam."

<sup>55</sup> [www.indosiar.com](http://www.indosiar.com). "Menurut Abdurrahman Wahid, *ukhuwah* itu ada tiga yaitu *ukhuwah Islamiyah*, *ukhuwah bashariyah* dan *ukhuwah wathaniyah*. Konsep ini berbahaya sekali. Di dalam Islam tidak ada *ukhuwah*, selain *ukhuwah Islamiyah*. Di luar Islam, semuanya musuh. Meskipun demikian, musuh itu, di saat tertentu bisa diberlakukan dengan baik, sesuai dengan ketentuan syariah. Menurut Islam, dunia ini dibagi dua, yaitu Islam dan jahiliyah. Antara Islam dan jahiliyah tidak bisa *ukhuwah*. Selamanya, antara Islam dan jahiliyah itu bermusuhan. Ibarat air bening dan air kotor, bila dicampur tidak akan menjadi air ketiga. Yang terjadi adalah air menjadi kotor. Karena itu konsep *ukhuwah basyariah* dan *ukhuwah wathaniyah* itu racun dan berbahaya."

<sup>56</sup> Majalah *Sabili*, No.12 Edisi Januari 2003. Original text said "Sesungguhnya asas tunggal Pancasila itu hanyalah rekayasa dari pihak Kristen/ katolik untuk

tion in this country.<sup>357</sup> In his view, making Pancasila as the sole ideology is a great evil and part of the polytheist act. Therefore, as a devout Muslim, Abu Bakar Ba'asyir feels that this matter cannot be abandoned. As the consequence of his statement he was questioned by police in 1985. It is in this year Ba'asyir then escaped to Malaysia. Until now, Ba'asyir likely hasn't got a positive outlook on Pancasila as the sole state ideology.

#### **D. Comparative Analysis and Critics to Nurcholish Madjid and Abu Bakar Ba'asyir**

There are many similarities between Nurcholish and Abu Bakar, both are graduated from Gontor Islamic boarding school and both of them also admit that the most important element of Islamic teaching is *tauwhid*. They also agree that the prophet Muhammad is an ideal model or a good example for every Muslim. Both are acknowledged from Sunni tradition.

Both Nurcholish Madjid and Abu Bakar Ba'asyir have the same stance that the core teaching of Islam is *tauwhid* (The oneness of God). But while Cak Nur used tauhid as the ground of liberty, equality and solidarity or brotherhood among all humans before the God, Ba'asyir used *tauwhid* the basic of human obligation to adhere the God's laws as the sole law in the world. Since what he perceived by God's laws is Islamic law or sharia, he then placed sharia as the superior law over others. The further implication can be predicted, Ba'asyir, for instance, wishes the Muslim jurist be placed as the ruler.

In the eye of Cak Nur *tauwhid* creed should lead Muslims to accept the equality of human being and human brotherhood. While in the eye of Abu Bakar Ba'asyir *tauwhid* or to acknowledge the oneness of the God should be followed to *tauwhid* in the law which means that there is no law in the world but God's law.

While Nurcholish Madjid was accustomed to circumstance that respected differences, Abu Bakar Ba'asyir got accustomed to tradition which was highly influenced by Wahaby puritan way of thinking. While according to most of the Muslims, the pillars of faith are only six: belief in God, his angels, his books, his messengers, the day of judge and *qadar*

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menghancurkan semua Institusi Islam di negeri ini."

(measurements), Ba'asyir indirectly added sharia as the part of Muslim faith. Unfortunately, while the other ulema considered the result of *istinbath al-hakam* (jurisprudence conclusion) is *dzanniyyu dilalah* (not absolutely true) therefore it is subjects to evaluations, Ba'asyir often sees it as an absolute one.

While in Ba'asyir's opinion there is no brotherhood except in Islamic brotherhood (*ukhuwwah Islamiyah*), Nurcholish can easily accept the human brotherhood (*ukhuwwah insaniyyah*). For Ba'asyir, there is only one God, one book and one way of salvation while for Nurcholish it can be said that there is only one God, many books and many ways of salvation. While Nurcholish could equate nation state with the *ummat* concept which was inclusive, Ba'asyir had difficulties in adjusting his concept of *ummat* with the idea of nationality because *ummat* according to him is limited to the community of Muslims.

Both Nurcholish Madjid and Abu Bakar Ba'asyir acknowledged the important of sharia. But while Ba'asyir sees sharia absolutely correct and excellent as well as suitable for each time and place, Nurcholish just sees sharia as one path of the many paths toward God and it can be developed and experience evolution from time to time. Nurcholish respected sharia of other prophet as something that is valid. He said that we should believe in whatever holy book, in which all religious followers should be treated fairly, because principally all of them worshipped the same God in which everyone is responsible for his or her own deed.

Nurcholish sees sharia as the moral guidance, whereas Ba'asyir sees sharia as a set of laws ordained by God and should be strictly implemented to Muslim. While Nurcholish sees sharia as a set of laws based on reasonable argument, Ba'asyir more sees sharia as a set of laws based on faith. Ba'asyir treats sharia law not merely as the ethics and religious norms aimed to guide community but also treats it as part of Islamic faith. As part of faith sharia law in his views isn't the matter that can be negotiated or revised.

While Nurcholish Madjid lets pluralistic apparent of Muslim as long as their essence is still the same, Ba'asyir tends to make homogenization of Islam emphasizing on ritual and code of conduct based on texts more than the substance of a vision of Islam that leads believers to think of the religion as an absolute truth, that all other religions are

false. As a consequence, there can be no meeting ground between a Muslim and a non-Muslim.

Concerning to democracy, Ba'asyir, like Pakistani scholar Abul Ala al-Maududi, can only accept democracy in limited area such as how to elect leader while in the area of laws, sharia isn't the object that can negotiated. Therefore Islamic state imagined by Ba'asyir is actually theocratic state. Nurcholish Madjid can accept whatever form of state as long as this state is based on Islamic values. In fact Nurcholish is one of the great supporters of democratization process in Indonesia. While Nurcholish can accept secular state, Ba'asyir denies the idea of secularization. In sum while Nurcholish promoted the inclusive understanding of Islam, Ba'asyir opted to push exclusive understanding of Islam.

Both Nurcholish Madjid and Abu Bakar Ba'asyir received critics from other intellectual. Nur Khalik Ridwan in his book *Pluralisme Borjuis; Kritik atas Pluralisme Cak Nur* (Bourgeois Pluralism; Critics on the Logic of Cak Nur Pluralism) said although Cak Nur's thoughts are based on the highly degree of liberalization and supported by his mastery of classic and modern reference but it is eventually becoming the truth regime or intellectual hegemony with logo-centric style.

Based on tracing of his family genealogy and his social community, Khalik said that Cak Nur was originated from Islamic bourgeois circle. The typology of bourgeois Islam was used by Khalik to identify the upper middle class of urban Muslim whose status economically established, ideologically tends to Masyumi-HMI and tends to convey the symbols of formalistic Islam.

According to Khalik, the pluralism of Cak Nur using the notion of Islam is universal religion as the basic, still lingering on particular communal because he still sees the truth of other religion by using his own religious perspective. His pluralism also has no sensitivity toward liberation of workers, poor farmers, slums and other vulnerable segments of society that experience marginalization, oppression and injustice. The Cak Nur concept of Islam as justice religion can be accessed only by young professionals and the have executives in starring hotels. While his slogan "Islam yes, Islamic party no", introduced during Soeharto regime is no more then neo-Masyumi strategy in order to



make symbiosis with the interest of regime so they are no more accused as the fighters of formalistic Islam in political arena.

Whereas one of the harsh critics toward Abu Bakar Ba'asyir is Ziauddin Sardar, intellectual Muslim Pakistani origin. When he visited Indonesia and interviewed by journalists he said that Indonesian Muslim cleric Abu Bakar Ba'asyir has no understanding of what power is in the contemporary world or modernity. Everything is seen from simple slogan: Islam is the answer and the Koran is the law. This is basically a very stupid mistake. If Islam is the answer what is the question? If you don't understand the question, how are you going to come up with answers? The kind of fundamentalism he represents is all slogans with no programs. The only program is violence and imposing their own will because they cannot talk to people. There is no reason behind their idea.<sup>58</sup>

#### **E. Background of Differences between Nurcholish Madjid and Abu Bakar Ba'asyir**

As mentioned above that the analysis will be made to explain the factors that have influenced both persons so the former eventually becomes moderate, liberal and pluralist while the latter becomes radical, fundamentalist and exclusivist. There are factors that influenced Nurcholish Madjid and Abu Bakar Ba'asyir. Nurcholish grew up in a family that was relatively more tolerant and moderate. He also got his academic education. His study on philosophy gives additional ammunition to broaden his horizon. His overseas journey particularly when he visited US for the first time has turned his negative perception on the West. While Abu Bakar Ba'asyir from the beginning lived in an environment heavily influenced by Wahhabi's thinking as represented in al-Irsyad. Merely being influenced by Wahhabi did not actually compel him to become radical and fundamentalist if he had not knitted close relationship with Abdullah Sungkar. The radical aspect of Ba'asyir's attitude was likely caused by the influence of Sungkar who was well known for his adamant and dissident.

Despite encouraging the freedom of thinking Gontor boarding school does not give significant influence to them. Ba'asyir confessed

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<sup>57</sup> *The Jakarta Post*, October 15, 2006.

that he emulates Gontor on the aspect of its language and the character of KH Imam Zarkasyi, one of the founders of the Gontor boarding school. The family milieu and the journey after someone leaves Gontor likely more determine in making somebody's paradigm.

## F. Conclusion

All of the mentioned explanations confirmed that Nurcholish Madjid is moderate, liberal and pluralist. Nurcholish can be called moderate in the sense that all of his opinions denote that he is not taking the extreme stance in facing problems related to Islam and politics. He might be called liberal in the sense that he respected liberal and individual thinking on religious matters without any restriction. He can also be called pluralist because he can accept the plurality of society and opinion as a matter of fact and treat it positively and inclusively.

While Abu Bakar Ba'asyir is called radical, fundamentalist and exclusive in the sense that he keeps an extreme opinion and condones violence acts. "I support Osama Bin Laden's struggle because he is the true struggle to uphold Islam, not terror - the terrorists are America and Israel." Abu Bakar Ba'asyir said in October 2002<sup>59</sup> He can be called fundamentalist in the sense that he encourages political Islam as opposed to cultural Islam. He always fights for sharia in the context of Islamic state or in order to gain political power and clearly differentiated Muslim community with non Muslim community in state-citizen relationship. Despite so many similarities, Abu Bakar Ba'asyir has different mindset from Nurcholish Madjid because of different methodology, epistemology and theology.

According to the *New York Times* database, as quoted by Jennie S. Bev, there are four spectrums of Islamic followers: 50 to 60 percent moderate pluralists, 30 to 40 percent conservative fundamentalists, 10 percent radical fundamentalist and 1 percent extreme fundamentalist.<sup>60</sup>

Abu Bakar Ba'asyir can be categorized as radical fundamentalist. 10 percent of the total 220 million Indonesian population is a huge amount. It is the challenge of Muslim intellectual in Indonesia "to

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<sup>58</sup> See BBC News/World/ Asia-Pacific/ Profile: Abu Bakar Ba'asyir [bbc.co.uk](http://bbc.co.uk).

<sup>59</sup> Jennie S Bev, "GDP, Poverty and Gross National Happiness", *The Jakarta Post*, November 12, 2007.

help” them. Since there are so many factors that cause someone to become radical, merely condemning them is not enough. Although overseas experience can turn someone to become moderate such as what was experienced by Nurcholish Madjid when he was still young, I am not sure that Abu Bakar Ba’asyir will change his mindset if he is given opportunity to visit US.

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